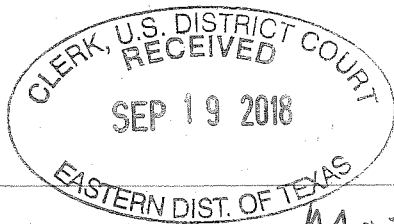


In the US District Court for East TX Tyler Division.

USA

v.
Hank Yoo



§ 6:18 - CR - 16

Emergency Motion.
Unopposed Pretrial Release Motion.

18 USC § 3142 (e)(2), (3) determines the types of defendants subject to detention.

18 USC § 3142 (f)(1), (2) states which types of defendants are subject to detention hearing.

18 USC § 3142 (d) states which types of defendants are subject to temporary detention.

The defendant asserts the court that he is not a danger to the community nor a flight risk, and the burden of this proof is/was on the prosecution, but the Eastern District US Attorney's office, and agents of the FBI and the BATFE, along with PD of City of Tyler and UT Tyler, has repeatedly manufactured false evidence and misrepresented true events in order to deny the defendant of his liberty, right to due process, and numerous constitutional rights.

The defendant informs the court that his alleged charges are document fraud regarding purchase of firearms, carrying 0-5 yrs and 0-10 yrs statutory range and with extremely low guideline range. The defendant asserts the court that the defendant was entitled to bail pursuant to 18 USC § 3142 (b), (c) from the initial appearance, considering that (1) The defendant has 0 criminal convictions; (2) The defendant's sentencing guideline range is low; (3) The defendant has a financial support from his family; (4) The defendant is a permanent

resident and not deportable under these charges ; (5) The defendant has never been committed to a mental institution nor have been adjudicated as a mental defective pursuant to 27 CFR § 478.11 ; (6) South Korea is more than 10,000-km away, (7) Throughout the federal judiciary murderers, rapists, pedophiles, terrorists, and other people who are genuine and demonstrable threats are released from federal custody everyday. The defendant understands that each judge has ^{the} prerogative of discretion and every case is different. However, it would be a violation of the defendant's 9th and 8th amendment protection to hold him in custody when he has never been convicted of an act of violence nor has a credible threat ever been reported to the LE.

Therefore, the waiver of detention hearing by the defendant, which was done without a fully informed consent of the defendant, and the detention hearing of 2018 0430 should not have occurred, but for the incompetence and malice of Ken Hawk and continued ineffective counsel and malice of Mickelson of his repeated denial and insistence that the defendant would not be granted an appeal of detention hearing, the defendant was unlawfully remained under detention.

Judge Love and Prosecutor Coan however, maliciously decided to detain the defendant (Love ordering temporary detention from the initial hearing and Coan moving to detain) for reasons unknown or possibly to prevent the defendant from effectively fighting his case through his own research by

confining the defendant in 2 facilities with no law libraries and causing irreparably harmful and undue burden on the defendant, having to spend hundreds of dollars on the phone calls to do basic legal research and have internet access through his friends.

Finally, the defendant, since 20180823,^{has} invoked his 5th and 6th amendment rights to proceed pro-se, clearly and unequivocally. The defendant informs the court of necessity of ability to access his docket as a pro-se defendant, but inability to do so under detention. The defendant plans to file administrative appeals relevant to his care and research his case to effectively represent himself, which is impossible to do under custody. Whereas, the premises considered, the defendant respectfully requests this motion to be released pending trial, pursuant to Rule 46 of FCR, be GRANTED.

20180924

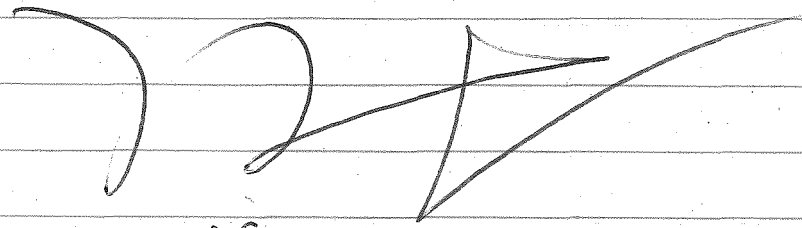
Upon filing this emergency motion, (the defendant requests an expedited hearing to be set before ~~20180924~~ ²⁰¹⁸⁰⁹²⁴ purely to set the conditions of bail, since pursuant to 18 USC § 3142, pre-trial release would be in the interest of justice and in accordance with the letter of the law.

The defendant requires speedy disposition of this motion and motion for leave to appeal to be in accordance of speedy trial and to fulfill all necessary measures for his defense. The defendant has already been unlawfully detained for 5 months, denied his 6th amendment rights and protection, among others, based on unlawful, false, and malicious

prosecutorial tactics.

(Please use Motion to appeal detention as a reference)

* This motion should not be construed as an amendment nor a withdrawal of my previous motion which granted the October 4th detention hearing. My intent is simply for this to be a supplemental request for summary judgement, separate and apart from the 20181004 hearing on the issue of bail.



20180916
Hank Yoo
(Heon Jung Yoo)

Hank Yoo (Case No. 6:18-CR-16)

Sent 20

101 E Methvin St

Longview TX 75601

Expedited Mail

Important

Contains an emergency

115 DALLAS

Frank Yoo (Case No. 6:18-CR-16)

Sent 201809

01 E Methvin St

[Contains an emergency motion]

ongview TX 75601

Expedited Mail

Important

US District Court

211 W Ferguson Street.

Tyler TX 75702

REVEPORT LA. 711
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